

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER SAUERS, Pro-Se
Plaintiff

v.

OAK PROPERTY MANAGEMENT LP,
ASHLEY MANAGEMENT CO.,
COUNTY BUILDERS,
MIKE MEISTER and KEVIN REILLY,
Defendants

NO. 2:23-cv-05146-GEKP

SANCTIONS ORDER

AND NOW, this _____ day of _____, 2024, sanctions are
ORDERED against the Plaintiff as follows:

1. Dismissal of the action;
2. Payment of a penalty into Court of \$_____ for filing a frivolous Complaint;
3. Reimbursement to Defendants of attorney's fee in defending this action in the amount of \$_____;
4. Reimbursement to Defendants of reasonable expenses in the amount of \$_____; and
5. Entry of a permanent injunction against future lawsuits and administrative proceedings of the same allegations underlying the instant case in both the Federal and State Courts.

BY THE COURT:

J.

HARRIS AND HARRIS

By: Stephen B. Harris, Esquire
Attorney I.D. No. 01928
1760 Bristol Road, P. O. Box 160
Warrington, PA 18976
(215) 343-9000

Attorney for Defendants

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER SAUERS, Pro-Se
Plaintiff

v.

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ASHLEY MANAGEMENT CO.,
COUNTY BUILDERS,
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Defendants

: NO. 2:23-cv-05146-GEKP
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RULE 11 MOTION FOR SANCTIONS

AND NOW COME the Defendants by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 11 and move your Honorable Court to impose sanctions upon the Plaintiffs. In support thereof, Defendants state the following:

1. Pro Se Plaintiff, Peter Sauers, has burdened the Courts, both State and Federal, and the Defendants with rambling, incomprehensible, frivolous, repetitive lawsuits. He previously filed claims against Lower Southampton Township in the Court of Common Pleas of Bucks County and then in your Honorable Court. After both were dismissed, he filed claims against the above individual Defendants, first in your Honorable Court and then in the Court of Common Pleas of Bucks County and the Pennsylvania Superior Court and now for the second time, in Federal Court.

2. All of the suits involve the same claims that Lower Southampton Township improperly issued zoning decisions and permits in 2015 permitting the Defendants to develop property in Lower Southampton which is adjacent to the Plaintiff's property.

3. All of the prior suits were dismissed by the trial court and affirmed on appeal.

4. The current suit as above captioned involves the same claims made by the Plaintiff in all of the previous suits.

5. Undersigned counsel served Plaintiff with a letter requesting the withdrawal of the Complaint on January 5, 2024 (Exhibit "A") and served Plaintiff with a copy of this Motion on February 22, 2024 (Exhibit "B").

6. All of Plaintiff's pleadings and filings presented to the Courts contained speculation and conclusory allegations which are rambling and incomprehensible.

7. 28 U.S.C.A. §1927 provides for sanctions against frivolous, unreasonable or bad faith litigation.

8. Plaintiff's conduct in filing the serial Complaints violates Rule 11(b) in the following respects:

- (a) Plaintiff's presentation of the current suit, after his prior identical suits were dismissed and affirmed on appeal and confirmed, is filed to harass, cause unnecessary delay and to needlessly increase the cost of litigation;
- (b) The current Complaint is clearly not warranted by existing law and presents a frivolous argument; and
- (c) The factual contentions posed by the Plaintiff do not have evidentiary support.

9. It is very likely that the Plaintiff will continue to file suits in State and Federal Courts unless prohibited from doing so by the Court.


10. The Defendants seek the imposition of sanctions as follows:

- (a) Reimbursement of reasonable expenses;
- (b) Reimbursement of attorney's fees in defending this action;
- (c) Pay a penalty into Court for filing a frivolous Complaint;
- (d) Dismissal of the action;
- (e) Entry of a permanent injunction against future lawsuits and administrative proceedings arising out of the same allegations underlying the instant case in both the Federal and State Courts.

WHEREFORE, it is requested that this Honorable Court impose the sanctions requested above.

Respectfully submitted,

HARRIS AND HARRIS

By: 
Stephen B. Harris, Esquire
Attorney for Defendants

HARRIS AND HARRIS

By: Stephen B. Harris, Esquire
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1760 Bristol Road, P. O. Box 160
Warrington, PA 18976
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Attorney for Defendants

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Defendants

CERTIFICATE OF SERVICE

I, STEPHEN B. HARRIS, ESQUIRE, of Harris and Harris, attorneys for the Defendants, do hereby certify that I caused true and correct copies of **Rule 11 Motion for Sanctions** to be served this date on the following individual by sending same by first class mail, postage prepaid:

Peter W. Sauers
32 North Westview Ave.
Feasterville, PA 19053

HARRIS AND HARRIS

Dated: 3/19/24

By: 

Stephen B. Harris, Esquire
Attorney for Defendants

Stephen B. Harris
sharris@harris-palaw.com

Gregory L. Sturn
gsturn@harris-palaw.com

John S. Thome, Jr.
jstome@harris-palaw.com
Of Counsel

Harris and Harris

Attorneys at Law

1760 Bristol Road

P.O. Box 160

Warrington, Pennsylvania 18976

Arthur R. Harris
(1916-2000)

Telephone
215-343-9000

Telecopier
215-343-9012

January 5, 2024

Peter W. Sauers
32 North Westview Avenue
Feasterville, PA 19053

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and REGULAR MAIL

Re: Sauers v. Oak Property Management LP, Ashley Management Co.,
County Builders, Mike Meister, Kevin Reilly
United States District Court Docket No. 2:23-cv-05146-GEKP

Dear Mr. Sauers:

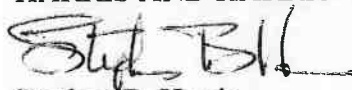
I have received a copy of the recent Complaint that you have filed against my clients, although it is not the official service required by the Federal Court rules. You should be aware that the Statute of Limitations of a 1983 Civil Rights action is two (2) years, which expired many years ago and bars this Complaint. If you do not withdraw the Complaint within seven (7) days of your receipt of this letter, I will file a 12(b)(6) Motion to have your Complaint dismissed and my clients have authorized me to file a Motion for Sanctions against you for filing a frivolous Complaint given that the Statute of Limitations has expired. I will recite the long, arduous and repetitive suits you have filed, all of which have been dismissed.

The Motion for Sanctions will seek sanctions against you in the form of nonmonetary directives (such as a preclusion from filing any more actions), a penalty into Court and payment of all reasonable attorney's fees and expenses incurred by my clients in defending against this Complaint.

Please advise immediately if you will withdraw the Complaint, otherwise I will proceed as outlined in this letter.

Very truly yours,

HARRIS AND HARRIS


Stephen B. Harris

SBH:bjf

cc: County Builders, Inc.
Attn: Mike Meister
Kevin Reilly

EXHIBIT "A"

Stephen B. Harris
sharris@harris-palaw.com

Gregory L. Sturn
gsturn@harris-palaw.com

John S. Thome, Jr.
jsthome@harris-palaw.com
Of Counsel

Harris and Harris

Attorneys at Law

1760 Bristol Road

P.O. Box 160

Warrington, Pennsylvania 18976

Arthur R. Harris
(1915-2000)

Telephone
215-343-9000

Telecopier
215-343-9012

February 22, 2024

Peter W. Sauers
32 North Westview Avenue
Feasterville, PA 19053

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and REGULAR MAIL**

Re: Sauers v. Oak Property Management LP, Ashley Management Co.,
County Builders, Mike Meister, Kevin Reilly
United States District Court Docket No. 2:23-cv-05146-GEKP

Dear Mr. Sauers:

I enclose the a copy of the Motion to Dismiss with supporting Memorandum that I have filed with the Court. I also enclose the Motion for Sanctions that I have prepared that I will be filing twenty-one (21) days from your receipt of service if you do not withdraw your Complaint.

Also enclosed are copies of the Rule 7.1 Disclosures which have also been filed with the Court.

Very truly yours,

HARRIS AND HARRIS



Stephen B. Harris

SBH:bjf

Enc.

cc: County Builders, Inc. (via email - w/enc.)

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HARRIS AND HARRIS

By: _____
Stephen B. Harris, Esquire
Attorney for Defendants